

571-273-8300

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

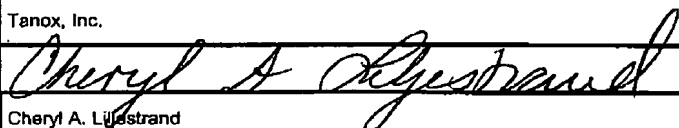
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/528,326	
	Filing Date	March 7, 2006	
	First Named Inventor	YAO, Zhengbin	
	Art Unit	1833	
	Examiner Name	K. Hill	
Total Number of Pages in This Submission	3	Attorney Docket Number	TNX-1001

RECEIVED
CENTRAL FAX CENTER

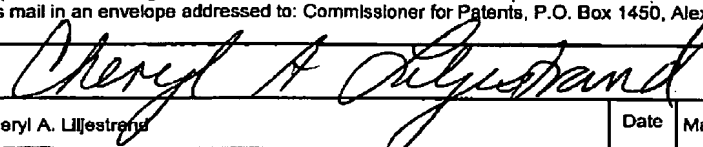
MAY 22 2007

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Tanox, Inc.		
Signature			
Printed name	Cheryl A. Liljestrand		
Date	May 22, 2007	Reg. No.	45,275

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Cheryl A. Liljestrand	Date	May 22, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

MAY 22 2007

PATENT
ATTORNEY DOCKET NO.: TNX-1001
CUSTOMER NO: 26839

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:)	
YAO, Z, et al.)	
)	Group Art Unit: 1633
Serial No.: 10/528,326)	
)	Examiner: K. Hill
International PCT Filing Date: 09/19/2003)	
U.S. 371 Filing Date: March 07, 2006)	
)	
For: NUCLEAR FACTOR OF ACTIVATED)	
T-CELL RECEPTORS)	

Commissioner for Patents
Alexandria, VA 22313

RESPONSE TO UNITY OF INVENTION REQUIREMENTS UNDER PCT 13.2

This response to the Restriction Requirements under PCT Rule 13.2 mailed April 23, 2007 is being filed within one month of the mailing date of the Office Action and therefore, no fee should be required. If a fee is required, please notify the undersigned and charge to our deposit account No. 20-0087.

REMARKS

Claims 31 to 52 are currently pending in the present application.

Applicants respectfully point out that an election of Group I directed to the polypeptide of SEQ ID NO: 2, was already made with traverse in the Response filed on March 12, 2007. The Office did not address the Election made in favor of Unity of invention and did not acknowledge the arguments made in that response to the previous Office Action. Therefore, Applicants request proper consideration of the arguments and reiterate them here.

Applicants respectfully point out that the "Special Technical Feature" of the present invention is SEQ ID NO: 2, and all of the claims relate to this special technical feature. PCT

Application No.: 10/528,326

Response to Office Action dated April 23, 2007

Page 2 of 2

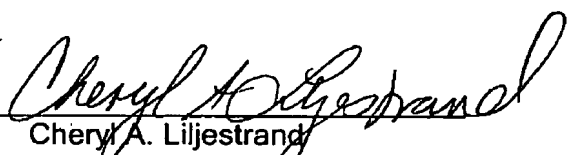
RULE 13.2 states that Unity of Invention is satisfied if there is a technical relationship among the claimed inventions. The technical relationship is related to a "special technical feature" that each of the inventions, considered as a whole, makes over the prior art. Each of the Independent claims of the present application relates to the special technical feature SEQ ID NO: 2 and therefore form a single inventive concept. Moreover, no problem of lack of Unity arises with respect to any claims that depend from independent claims directed to the special technical feature. Claims 31-33 are directed to SEQ ID NO: 2; claims 34-37 and 52 relate to the polynucleotide encoding SEQ ID NO: 2; claims 38-40 relate to antibodies that bind SEQ ID NO: 2; and claims 41-52 relate to the use of SEQ ID NO: 2. Therefore, all of the claims have Unity of Invention and restriction of these claims is improper according to Rule 13.2.

Applicants included Annex B "Unity of Invention" and two examples of Unity of Invention taken from Chapter 10 "Unity of Invention" in the PCT Guidelines provide by the WIPO with the previous response. Section 10.21 Example 1 and Section 10.59 Example 39 clearly illustrate that a protein and its encoding nucleic acid have Unity and the methods of manufacturing or using the protein (Substance X) have Unity. Therefore, Applicants respectfully request that the Restriction be withdrawn and all claims examined according to PCT guidelines.

Respectfully Submitted,

Dated: May 22, 2007.

BY:


Cheryl A. Liljestrand
Reg. No. 45,275